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Maurizio Pilu

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EXAMINER

CHEN, CHIA WEI A

ART UNIT	PAPER NUMBER
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2622

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03/26/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/822,696	Applicant(s) PILU, MAURIZIO	
	Examiner CHIA-WEI A. CHEN	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32,34-38 and 40-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32,34-38 and 40-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The objections to claims 24-28 have been withdrawn in light of the amendments.
The 35 USC 101 rejection of claim 42 has been withdrawn in light of the amendments.

Claim Objections

2. Claim 37 objected to because of the following informalities:
Claim 37 – line 2 contains a misspelling of the word “sendor.”
Appropriate correction is required.

Response to Arguments

3. Applicant's arguments with respect to claim 23, 35, 42 have been considered but are moot in view of the new ground(s) of rejection.
4. Applicant's arguments filed 12/10/2007 have been fully considered but they are not persuasive.

Applicant argues with respect to claim 1 that Mann does not disclose the feature of a second sensor device for generating a signal relation to the host wearer from an observer perspective and relation to said attention clue signals.

However, reading claim 1 in the broadest sense, Mann teaches a second sensor device that generates and stores an image signal relating to the host wearer relating to the attention clue signals of the original host. The claim does not specifically disclose

that the attention clue signals must be detected by the second sensor device, only that the second sensor device generates a signal from an observer side (perspective).

Applicant further argues that there is nothing in the reference to indicate the elevated heart rate signal is combined with the data from the other nodes in the network to determine a situation of raised attention of the host wearer

However, reading the claim in the broadest sense, Mann teaches a processor on the host side for receiving the host perspective as well as a processor on the observer side for receiving signals from an observer perspective. Mann teaches the reception of a signal and data from one node to another. This transmission/reception is only performed when a first sensor is triggered by a situation of raised attention.

Furthermore, the claim does not indicate a transmission of data from the first and second sensor devices to the portable attention detector; and according to claim 1, it is unclear where the two sensor devices are located and it is unclear the definition of "observer perspective."

Applicant also states that the men mentioned in paragraph 0168 of Mann does not generate a perspective attention signal relation to the host wearer from an observer perspective and relation to the attention clue signals, that is, the increased heart rate signal, as required by claim 1.

However, reading claim 1 in the broadest sense, it would have been obvious to one of ordinary skill in the art that the men may be wearers of the second sensors. These second sensors may perform the function as described in the responses to the arguments above.

Applicant argues with respect to claim 30 that Mann does not teach an analysis being performed in a mode of an observer perspective of said at least one inanimate object.

However, reading claim 30 in the broadest sense, it would have been obvious to one of ordinary skill in the art that the mode of a observer perspective may be a perspective of a second sensor (sweat sensor) according to Mann (paragraph 0047).

Applicant argues with respect to claim 34 that Mann does not teach an image to be captured in response to the self perspective activation signal and the received activation signal.

However, reading claim 34 in the broadest sense, Mann teaches that a remote node of the safetycharm of Mann receives an image signal and captures and stores the image signal received (paragraph 0105, 0106).

Applicant argues with respect to claim 38 that Mann does not teach an attention detection component being operable for analyzing said attention clues in a self perspective mode, in which said attention clues relate to the at least one animate object.

However, reading claim 38 in the broadest sense, it would have been obvious to apply the heart rate monitor in one embodiment of Mann with the camera in another embodiment of Mann. The purpose of the radar of Mann is to complement a Personal Safety Device for enhancing the safety of an individual. The heart rate monitor of Mann is used for generating an attention clue in a self perspective mode to signal a level of interest in the at least one animate object.

Applicant argues with respect to claim 43 that Mann does not teach an animate object observing device for observing a host wearer of an attention detector from an observer perspective external of the host wearer and determining attention clues of the host wearer from the observer perspective externally of the host wearer.

However, reading claim 43 in the broadest sense, Mann teaches the backpack worn by another animate object is able to determine the attention of the woman, that is the first animate object, and generate a signal, from another animate object's perspective (paragraph 0204).

Applicant argues with respect to claims 44 and 52 that Mann does not teach a camera generating a second signal relating to the first animate object from a perspective other than the first animate object.

However, reading claims 44 and 52 in the broadest sense, Mann teaches the backpack worn by another animate object is able to determine the attention of the woman, that is the first animate object, and generate a signal, from another animate object's perspective (paragraph 0204).

Dependent claims 2-22, 24-29, 31, 32, 36, 37, 40, 41, 45-51, and 53-59 are sustained in view of the sustained rejections of the independent claims above.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1-6 8-12, 15-24, 29-59 are rejected under 35 U.S.C. 102(e) as being anticipated by Mann (US 2002/0057915 A1).

As to claim 1, Mann teaches, in figure 3A, an attention detection system comprising:

- at least one first sensor device (heart monitor) for generating a host perspective signal relating to a host wearer from a host perspective and relating to attention clue signals indicative of the attention of the host wearer to the host perspective signal (paragraph [0168]); and
- at least one second sensor device for generating a signal relating to the host wearer from an observer perspective and relating to said attention clue signals (separate unit worn by at least a second user (safetycharm/camera worn by another individual; paragraph [0144]); and
- a portable attention detector (processor 150) for receiving the host perspective and the perspective attention clue signals and for determining a situation of raised attention of said host wearer from said received host perspective attention clues and said received observer perspective attention clues (paragraph [0101]).

As to claim 2, Mann teaches the attention detection system as claimed in claim 1, wherein said at least one sensor device comprises:

- an image capture device (camera 310) for capturing an image from the self-perspective of said host wearer in response to a determined situation of raised attention (paragraph [0156]).

As to claim 3, Mann teaches the system as claimed in claim 1, wherein said at least one first sensor device is adapted to be worn by said host wearer (safetycharm or sports bra may be worn as in Fig. 2; paragraph [0128], [0159]).

As to claim 4, Mann teaches the system as claimed in claim 1, wherein said at least one second sensor device is adapted to be worn by a wearer other than the host wearer (multiple users wearing the safetycharm or sports bra device as in Fig. 2; paragraph [0144]).

As to claim 5, Mann teaches the system as claimed in claim 1, wherein said at least one second sensor device is adapted to be located in a place where said host user is likely to be (individuals wearing devices situated in the same room; Fig. 2, paragraph [0142]).

As to claim 6, Mann teaches the system as claimed in claim 1, further comprising a people-observing device (camera 120) for communicating with said attention detector (paragraph [0101]).

As to claim 8, Mann teaches the system as claimed in claim 6, wherein at least one of the people-observing devices comprises a camera device (cameras 310, Fig. 3b).

As to claim 9, Mann teaches the system as claimed in claim 1 further comprising first and second user-observing devices including beacons for locating and detecting the host wearer and the observer (transceivers in each wearable device 142, 162, Fig. 1a, paragraphs [0104]-[0106]).

As to claim 10, Mann teaches the system as claimed in claim 1 wherein the portable attention detector and the at least one first sensor device are integrated into a host wearable device (paragraph [0168]).

As to claim 11, Mann teaches the system as claimed in claim 1, further comprising a people-observing device for communicating with said attention detector, wherein said people-observing device is configurable for cooperating with at least one other people-observing device for communicating information with said at least one other people-observing device (Fig. 2, paragraph [0128]).

As to claim 12, Mann teaches the system as claimed in claim 1, further comprising a people-observing device for communicating with said attention detection module, wherein said people-observing device is configurable for recognizing at least one other

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people-observing device to form a group of people-observing devices capable of recognizing each other (Fig. 2, paragraph [0128]).

As to claim 15, Mann teaches the system as claimed in claim 1, further comprising at least one people-observing device that can be set to selectively communicate or with said attention detector depending upon the type of attention clue detected (attention detector/processor is not instructed to take pictures unless an attention criteria is met; paragraph [0047]).

As to claim 16, Mann teaches the system as claimed in claim 1, wherein at least one of the first sensor device and the second sensor device comprises a digital camera device (310) for capturing a digital image (paragraph [0156]).

As to claim 17, Mann teaches the system as claimed in claim 1, wherein the at least one second sensor device is arranged for detecting a facial expression of said host wearer and for generating the perspective attention signal based on the detected facial expression of said host wearer (face recognition, recognizer capable of identifying characteristics of a person presenting a threat, i.e. facial expression based on face recognition and analysis; paragraph [0083], [0087]).

As to claim 18, Mann teaches the system as claimed in claim 1, wherein the at least one second sensor device is arranged for detecting an eye direction of said host wearer and

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for generating the perspective attention signal based on the detected eye direction of said host wearer (gaze; paragraph [0168]).

As to claim 19, Mann teaches the system as claimed in claim 1, wherein the at least one second sensor device is arranged for detecting body language of said host wearer and for generating the perspective attention signal based on the detected body language of said host wearer (heart rate monitor detects heart rate as a natural index to wearer's degree of arousal; paragraph [0168]).

As to claim 20, Mann teaches the system as claimed in claim 1, wherein the at least one second sensor device is arranged for detecting body posture of the host wearer and for generating the perspective attention signal based on the detected body posture of the host wearer (camera 120 can detect body posture of wearer; paragraph [0101]).

As to claim 21, Mann teaches the system as claimed in claim 1 wherein the first sensor device or the second sensor device or both sensor devices include a detector for the context of an environment where said host wearer is located, the host attention signal of the perspective attention signal or both the attention and perspective signals, as appropriate, being dependent on the context of the environment where said host wearer is located (camera 120 can detect the context of an environment where host wearer is located. The camera can change its mode when removed from the body; paragraph [0101]), [0265], [0333]).

As to claim 23, Mann teaches a method of capturing images using at least one camera (310) device, said method comprising:

- detecting an attention clue (movement pattern) exhibited by at least one first animate object from the perspective of a host second animate object carrying said at least one camera device, said attention clue being captured by said at least one camera device indicating that the attention of the first animate object is drawn by a subject (paragraph [0203]-[0204]);
- detecting an attention clue of said second animate object from an observer perspective external of said second animate object (paragraph [0203]-[0204]);
- activating said at least one camera device so it captures an image of said subject in response to detection of said attention clues of the first and second animate objects (Mann discloses a peer to peer network with other participants. In this case, one participant may be the first animate object while another participant may be the second animate object; paragraph [0204]).

As to claim 24, Mann teaches the method as claimed in claim 23, wherein said step of detecting an attention clue exhibited by the at least one animate object comprises detecting a facial expression of said at least one first animate object (face recognition; paragraph [0083]).

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As to claim 29, Mann teaches the method as claimed in claim 23, wherein the detecting step for the attention clue of said second animate object comprises:

- capturing an image from the perspective of the observer external to the second animated object (paragraph [0169]); and
- performing image processing of said image so there is detected an attention clue of said second animate object, the detected image of the attention clue of the second animate object being selected from the set including (video processing is performed to detect movement patterns of a person; paragraph [0204], [0205]):
 - a facial expression;
 - an eye direction;
 - a body movement (paragraph [0205]); and
 - a body posture.

As to claim 30, Mann teaches a method of automatically capturing an image, said method comprising:

- detecting at least one attention signal (heart rate) in response to a detectable body parameter of at least one animate object;
- analyzing said at least one attention signal to determine an interest level (degree of arousal) of said at least one animate object, said analysis being performed in a mode of an observer perspective of said at least one animate object; and
- capturing said image in response to said interest level (paragraphs [0168] and [0169]).

As to claim 31, Mann teaches the method as claimed in claim 30 further comprising;

- determining a situational saliency of a scene by analyzing said at least one attention signal (paragraph [0169]).

As to claim 32, Mann teaches the method as claimed in claim 31, wherein said analysis is performed in a mode of self perspective of said animate object (paragraph [0168]).

As to claim 34, Mann teaches an image capture device comprising:

- an image detector device (120) for capturing an image;
- an attention detection component (processor 150) for determining an attention signal of a person from a self perspective (heart rate);
- a transponder device (receiver 140) for receiving activation signals from a remote source;
- said attention detection component being configured for identifying said activation signals, and activating capture of an image in response to said self perspective activation signal and said received activation signal (paragraph [0101], [0168]).

As to claim 35, Mann teaches a device for observing at least one first animate object, comprising:

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- an interface (heart ECG electrodes) for interfacing with at least one sensor device for deriving a first signal indicative of an attention state of the first animate object (heart monitor):
- a receiver (140) for a sensor signal representing aspects of body language of the first animate object, the aspects being observed from a position external of said first animate object (signals transmitted from other nodes; paragraph [0101]); and
- an analyzer (processor 150) for determining from said first signal and said sensor signal at least one attention clue related to a second animate object observing the first animate object; and
- a transmitter (capture device 130) for transmitting the attention clue signals (capture device transmits the signals it captures to the processor/analyzer; paragraph [0101]).

As to claim 36, Mann teaches the device as claimed in claim 35, further comprising: a transponder device (160) adapted to be carried by the first animate object for transmitting said sensor signals to a location displaced from the first animate object (transmitted to and received by other nodes; paragraph [0101]).

As to claim 37, Mann teaches the device as claimed in claim 35, wherein the sender signal receiver includes: an image capture device (camera 120) for capturing image frames including aspects of the body language of the first animate object (paragraph [0101]).

As to claim 38, Mann teaches an attention detection component in figure 6 for determining a level of attention of at least one animate object, said component comprising:

- an analyzer (processor 650) for (a) at least one attention clue signal (movement signature patterns), and (b) determining from said attention clue signal, a level of interest of said at least one animate object, the attention detection components being operable for analyzing said attention clues in a self perspective mode, in which said attention clues relate to the at least one animate object (paragraph [0205]).

As to claim 40, Mann teaches the attention detection component as claimed in claim 38, the component being operable in an observer perspective mode, in which said attention clues represent signals describing behavior of an animate object observed from a remote location (paragraph [0205]).

As to claim 41, Mann teaches the attention detection component as claimed in claim 38, comprising a transponder device (transmitter/receiver 160, 140) for receiving said attention clue signals from a remote sender device (paragraph [0101]).

As to claim 42, Mann teaches a computer readable medium storing a computer program for causing a computer to perform steps comprising (paragraph [0247]):

- analyzing a plurality of sensor signals representing attention clues collected from a self perspective of a first animate object (signal collected from heart monitor), and

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attention clues collected from an observed perspective of said first animate object (camera 310), and determining from said sensor signals and collected attention clues, a behavioral mode of the first animate object; and

- generating an image capture trigger signal for triggering an image capture device to capture image data, in response to a said sensed behavioral mode of said first animate object (image capture is triggered when heart rate is increased; paragraph [0168]).

As to claim 43, Mann teaches an attention detection system comprising:

- a portable attention detector (processor 150) for receiving attention clues generated from a self perspective (heart monitor) of a host wearer of said attention detector;
- an animate object observing device for observing said host wearer from an observer perspective external (camera 310) of said host wearer and determining attention clues of said host wearer from said observer perspective externally of said host wearer;
- said attention detector being capable of determining a situation of raised attention of said host wearer from said self perspective attention clues, and said received observer perspective attention clues (paragraph [0101], [0168], [0205]).

As to claim 44, Mann teaches a system, in figure 6, for detecting the attention level of a first animate object comprising:

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- a first sensor (heart monitor) for generating a first signal relating to the attention level of the first animate object from the perspective of the first animate object (paragraph [0168], [0141]);
- a second sensor (camera 310) for generating a second signal relating to the first animate object from a perspective other than the first animate object; and
- a processor (650) for determining that the first animate object has a raised attention level in response to the first and second signals (paragraph [0204], [0205]).

As to claim 45, Mann teaches the system of claim 44 wherein the second sensor is arranged to respond to a parameter indicative of the attention being paid to the first animate object by a second animate object (sensor detects movement signature patterns of a subject; paragraph [0204]).

As to claim 46, Mann teaches the system of claim 45 wherein the first and second sensors are adapted to be carried by the first animate object (backpack based apparatus 600, Fig. 6; paragraph [0202]).

As to claim 47, Mann teaches the system of claim 46 wherein the second sensor comprises an image detector (camera 310) adapted to be responsive to at least a portion of an image of the second animate object (paragraph [0203]).

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As to claim 48, Mann teaches the system of claim 45 wherein the first and second sensors are respectively adapted to be carried by the first and second animate objects (A group of backpack based apparatus wearers form a network. Some backpack based apparatuses may only include a camera while some may not. Paragraphs [0198]-[0199], [0202], Figs. 6A-6C).

As to claim 49, Mann teaches the system of claim 48 wherein the second sensor is connected to a transmitter (a) adapted to be carried by the second animate object, and (b) arranged to transmit the second signal from the second animate object to the first animate object (transmitter 300; paragraph [0156]).

As to claim 50, Mann teaches the system of claim 44 wherein the second sensor is arranged to respond to a parameter indicative of the reaction of the first animate object to the environment where the first animate object is located (cameras observe a user's interaction with the environment; paragraph [0333]).

As to claim 51, Mann teaches the system of claim 50 wherein the second sensor is adapted to be located at a position removed from the first animate object, and further comprising a transmitter arranged to transmit the second signal from said position to a receiver (a) arranged to receive the second signal, and (b) adapted to be carried by the first animate object (receiver 140 receives signals/pictures from other nodes and may be integrated into a "safetycharm" device worn by the user; paragraph [0101], [0128]).

As to claims 52-59, these claims only differ from claims 44-51 in that claims 44-51 are apparatus claims whereas claims 52-59 are a method. Thus, method of claims 52-59 are analyzed as previously discussed in claims 44-51.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mann in view of Strub et al. (US 6,563,532 B1).

As to claim 7, Mann teaches the system as claimed in claim 6, further comprising a plurality of the people-observing devices, each of which is capable of:

- communicating with said attention detector,

but does not teach wherein the plurality of people-observing devices communicate with each other.

Strub et al. teaches wherein the plurality of people-observing devices communicates with each other (col. 64, lines 7-12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the people-observing device communication with the

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attention detection system of Mann in order to minimize or eliminate the need for post-event processing to temporally synchronize the auxiliary data and recording data (col. 75, lines 60-66 of Strub et al.).

As to claim 13, Mann teaches the system as claimed in claim 12, but does not teach wherein said people-observing device can be set to communicate or not communicate with at least one other people-observing device based on an analysis of contextual information relating to the host user.

Strub et al. teaches wherein said people-observing device can be set to communicate or not communicate with at least one other people-observing device based on an analysis of contextual information relating to the host user (communication between people-observing devices are only permitted among users of a certain category; col. 35, line 56-col. 36, line 2).

As to claim 14, Mann teaches the system as claimed in claim 1, further comprising a people-observing device that can be set to selectively communicate with at least one other people-observing device based on an analysis of a type of attention clue detected (communication between people-observing devices are only permitted among users of a certain category; col. 35, line 56-col. 36, line 2).

9. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mann in view of Okano (US 6,031,915).

As to claim 22, Mann teaches the system as claimed in claim 1 wherein the first sensor device or the second sensor device or both sensor devices include a vocal utterance detector of the host wearer (microphone; paragraph [0168]),

but does not expressly teach wherein the host attention signal or the perspective attention signal or both the attention and perspective signals, as appropriate, being dependent on the vocal utterance detector of the host wearer the signals are dependent on the vocal utterance detector of the host wearer.

Okano teaches wherein the signals are dependent on the vocal utterance detector of the host wearer (A voice signal (i.e. attention signal) triggers the recording device to begin; col. 3, line 66-col. 4, lines 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the voice level detector of Okano with the attention detection system of Mann in order to trigger the recording device with the use of a user's voice, without relying on a manual switch or other means. A user can simply issue a vocal utterance (i.e. talk) as an attention signal to trigger the recording device to begin recording.

10. Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mann (US 2002/0057915 A1).

As to claim 25, Mann teaches the method as claimed in claim 23, but does not expressly teach wherein said step of detecting an attention clue exhibited by the at least one animate object comprises detecting an eye direction of said at least one first animate object (gaze; paragraph [0168]).

However, in another embodiment, Mann teaches wherein said step of detecting an attention clue exhibited by the at least one animate object comprises detecting an eye direction of said at least one first animate object (gaze; paragraph [0168]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the embodiments of Mann together. The embodiments have the same purpose of being a personal safety device, used to capture a video signal when an attention clue is detected either from a self-perspective or a perspective external to the self. The same reasoning applies to claims 26-28.

As to claim 26, Mann teaches the method as claimed in claim 23, wherein said step of detecting an attention clue exhibited by the at least one animate object comprises detecting body language of said at least one first animate object (heart rate monitor detects heart rate as a natural index to wearer's degree of arousal; paragraph [0168]).

As to claim 27, Mann teaches the method as claimed in claim 23, wherein said step of detecting an attention clue exhibited by the at least one animate object comprises detecting body posture of said at least one first animate object (camera 120; paragraph [0101]).

As to claim 28, Mann teaches the method as claimed in claim 23, wherein said step of detecting an attention clue exhibited by the at least one animate object comprises detecting a vocal utterance of said at least one first animate object (microphone; paragraph [0168]).

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIA-WEI A. CHEN whose telephone number is

(571)270-1707. The examiner can normally be reached on Monday - Friday, 7:30 - 17:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chia-Wei A Chen/
Examiner, Art Unit 2622

***/Ngoc-Yen T. VU/
Supervisory Patent Examiner, Art Unit 2622***